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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,252	12/14/2001	Ryan S. Enners	10010965-1	8711

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EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/020,252

Applicant(s)

ENNERS, RYAN S.

Examiner

Melur Ramakrishnaiah

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12-14-01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1, is rejected under 35 U.S.C 102(e) as being anticipated by Fish et al. (US PAT: 6,483,428 B1, filed 8-22-2001, hereinafter Fish).

Regarding claim 1, Fish discloses a portable music player comprising: housing (10, fig. 1) comprising a detachable faceplate in (10, fig. 1) of a vehicle audio system (col. 2 lines 45-52), one or more memory devices (58, fig. 2) disposed in the housing for storing downloaded music (fig. 2 col. 5 lines 57-63, col. 6 lines 36-38), a communicative interface (16, fig. 1) coupled to the memory devices for interfacing with an external computer to download music files to a portable music player (col. 3 lines 55-58), a microprocessor (48, fig. 2) disposed in the housing that is coupled to the memory devices (58, fig. 2) and communication interface for controlling portable music player, and an audio interface in (48, fig. 2) disposed in the housing that is coupled between the memory devices and the vehicle audio system that permits the music files to be played by the vehicle audio system (col. 6 lines 56-67, col. 1 lines 54-62).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-3, 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fish in view of Sakurai (JP361278447A).

Fish differs from claim 3-4 in that he although he teaches an output port (18, fig. 1) for transferring output signals from the detachable faceplate (10, fig. 1) to an external playing device such as a listening device (col. 3 lines 66-67, col. 4 lines 1-2); he does not explicitly teach the following: a headphone interface disposed in the housing that permits music files to be played through external headphones connected thereto.

However, Sakurai discloses wireless personal audio set for car which teaches the following: a headphone interface disposed in the housing that permits AM/FM radio to be played through external headphones connected thereto (abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Fish's system to provide for the following: a headphone interface disposed in the housing that permits music files to be played through external headphones connected thereto as this arrangement would facilitate playing audio through an alternative means such as headphones as taught by Sakurai, thus enhancing user convenience.

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Fish differs from claims 3 and 5 in that although he teaches receiver (reads on 28, fig. 2) disposed in the housing for reception of radio broadcasts (col. 5 lines 12-19), he does not teach the following: antenna for reception of radio broadcasts.

However, Sakurai discloses wireless personal audio set which teaches the following: antenna for reception of radio broadcasts (see abstract)

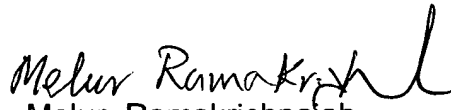
Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Fish's system to provide for the following: antenna for reception of radio broadcasts as this arrangement would facilitate reception of radio broadcasts as taught by Sakurai.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on M-F 6:30-4:00; every other F Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
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